

REMARKS

Summary of Office Action

Claims 1-16, 18-36, 38-56, 58-75, and 77-95 are pending.

Claims 1, 2, 4, 5, 7, 18-22, 24, 25, 27, 38-42, 44, 45, 47, 58-62, 64, 65, 67, and 78-83 have been rejected under 35 U.S.C. § 102(e) as being anticipated by Shah-Nazaroff et al. U.S. Patent No. 6,157,377 ("Shah-Nazaroff"). Claims 3, 6, 8-16, 23, 26, 28-36, 43, 46, 48-56, 63, 66, 68-75, 77 and 84-95 have been rejected under 35 U.S.C. § 103(a) as being obvious from Shah-Nazaroff in view of various combinations of Hofmann U.S. Patent No. 5,883,677 ("Hofmann"), Matthews III et al. U.S. Patent No. 5,815,145 ("Matthews"), Banker U.S. Patent No. 5,485,221 ("Banker"), Lett U.S. Patent No. 5,771,064 ("Lett"), Lewis U.S. Patent Application No. 2003/0040962 ("Lewis"), Aristides U.S. Patent No. 5,630,119 ("Aristides"), Rosin U.S. Patent No. 6,028,600 ("Rosin"), Hooper U.S. Patent No. 5,414,455 ("Hooper") and Killian U.S. Patent No. 6,163,316 ("Killian").

Summary of Telephonic Interview

Applicant would like to thank the Examiner for the courtesies extended during the April 13, 2010 telephonic interview with the undersigned. During the interview, the Examiner's rejections with respect to the independent claims were discussed. Applicant proposed amendments to the independent claims (discussed below). The Examiner indicated that the further consideration would be required.

Summary of Applicant's Reply

Applicant has amended claims 1, 21, 41, 61 and 84-86 in order to more particularly define the claimed invention. The claim amendments are fully supported by the application as originally filed and therefore do not add new matter (see, e.g., applicant's specification at paragraphs 86, 87 and 93).

The Examiner's rejections are respectfully traversed.

Applicant's Reply

Applicant's invention, as defined by amended independent claims 1, 21, 41 and 61, is directed to retrieving on-demand media data and non-on-demand data for use in an interactive television application system. A first set of on-demand media data is displayed and examined, without receiving user input, to identify a second set of on-demand media data that is necessary for retrieval. The second set of on-demand media data is automatically retrieved from the on-demand media data source. The second set of on-demand media data is displayed in response to a user indication to access the second set.

In Shah-Nazaroff, an on-demand program is downloaded from the source when a user selection of the corresponding displayed on-demand listing is received (which the Examiner considers identifying a set of on-demand listings) (Shah-Nazaroff, col. 6, lines 15-50). In the claimed approach, however, the user equipment examines, without receiving user input, a first set of on-demand listings that are displayed to identify a second set of on-demand listings necessary for retrieval. Thus, Shah-Nazaroff does not show or suggest all the features of applicant's claims 1, 21, 41 and 61.

Hofmann, Matthews, Banker, Lett, Lewis, Aristides, Rosin and Hooper, which the Examiner uses in the rejection of other elements of applicant's dependent claims, do not make up for the deficiencies of Shah-Nazaroff relative to the rejection.

For at least these reasons, applicant respectfully submits that claims 1, 21, 41 and 61, and claims 2-16, 18-20, 22-36, 38-40, 42-56, 58-60, 62-75, and 77-95, which depend, directly or indirectly, variously from claim 1, 21, 41 or 61 are allowable over the art of record.

Conclusion

For at least the reasons set forth above, applicant respectfully submits that this application is in condition for allowance. Reconsideration and prompt allowance are respectfully requested.

Respectfully submitted,

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